



County of Los Angeles CHIEF EXECUTIVE OFFICE

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January 21, 2015

To: Supervisor Michael D. Antonovich, Mayor
Supervisor Hilda L. Solis
Supervisor Mark Ridley-Thomas
Supervisor Sheila Kuehl
Supervisor Don Knabe

From: Sachi A. Hamai
Interim Chief Executive Officer

WASHINGTON, D.C. UPDATE ON HOUSE PASSAGE OF THE FEDERAL FISCAL YEAR 2015 DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS BILL

Executive Summary

This memorandum is to inform the Board that, on January 14, 2015, the Federal Fiscal Year (FFY) 2015 Department of Homeland Security (DHS) appropriations bill (H.R. 240) was passed by the House on a 236 to 191 vote.

The bill funds all of the state and local programs through which the County receives funding at the same level as in the prior year. Before passing H.R. 240, the House also approved five immigration-related amendments which would result in the bill being vetoed by the President if the Senate were to pass the bill with these amendments.

State and Local Grant Funding

The bill funds all DHS state and local programs through which the County receives funding at the same levels as in FFY 2014, including the appropriation of \$412 million for the State Homeland Security Grant Program (SHSGP), \$587 million for Urban Area Security Initiative (UASI) Grants, \$350 million for Emergency Management Performance Grants (EMPG), and \$340 million each for the Assistance to Firefighters Grant and Staffing for Adequate Fire and Emergency Response (SAFER) Grant. Similar to past years, it also includes language blocking the Administration's proposal to consolidate state and local programs, such as SHSGP, UASI, and EMPG, into a new National Preparedness Grant Program - a proposal opposed by the County.

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H.R. 240 also includes bill language which allows SHSGP and UASI grant funds to be used for the installation of communications towers, which otherwise would not be allowed under current grant guidelines. This is important because it would facilitate the use of SHSGP and UASI funds for constructing the Los Angeles Regional Interoperable Communications System, which is a funding priority for the County and Los Angeles urban area.

Immigration-Related Amendments

Before passing H.R. 240, the House approved five immigration-related amendments offered by Republicans:

- Prohibits any funds or fees collected by DHS or any other Federal agency from being used to implement or enforce many of the Obama Administration's immigration policies and executive actions, including those relating to immigration enforcement and those which would grant any Federal benefit to any undocumented immigrant, such as deferred action from deportation;
- Prohibits any funds or fees collected by DHS or any other Federal agency from being used to consider new, renewal, or previously denied applications under the Deferred Action for Childhood Arrivals ("DACA") program, established by the President in 2012, which offers administrative relief from deportation to certain undocumented immigrants who entered the country when they were children;
- Requires the DHS to prioritize immigration enforcement actions against undocumented immigrants convicted of any offense involving domestic violence, sexual abuse, child molestation or child exploitation, and bars the use of funds for any DHS policy relating to the apprehension, detention, or removal of immigrants that is not consistent with this priority;
- Expresses the sense of Congress that the Administration should not pursue policies that make it more economically advantageous to hire undocumented workers than citizens and legal immigrants, such as by granting deferred action status and work authorization to undocumented immigrants because persons with deferred action status are not counted as employees toward the Affordable Care Act's mandate that employers with 50 or more employees provide health insurance or pay a penalty; and

- Expresses the sense of Congress that the Administration should give priority to processing applications for immigration benefits made by individuals who are outside the United States or who are lawfully present in the U.S. rather than applications from undocumented immigrants.

Legislative Outlook

Before adjourning in December 2014, the 113th Congress enacted a “cromnibus” appropriations bill (H.R. 83), which included a Continuing Resolution (CR) to temporarily fund DHS through February 27, 2015, and which funded all other Federal departments and agencies through the end of FFY 2015 under a single omnibus appropriations bill. Republicans did not provide full-year funding for DHS in H.R. 83 because they wanted the opportunity to use the FFY 2015 DHS appropriations bill as a legislative vehicle for blocking the President’s executive actions on immigration. As indicated above, House Republicans included immigration riders in H.R. 240 that are aimed at blocking the President’s immigration actions and policies.

The Senate Democratic leadership indicates that they would block the House-passed H.R. 240 or any DHS appropriations bill with similar immigration riders. It will take a 60-vote majority to pass H.R. 240 in the Senate. If all 54 Republican senators vote for the House-passed bill, at least six “aye” votes from Democrats and Independents will be needed for Senate passage. The President also has indicated that he would veto a DHS appropriations bill with immigration riders, such as those included in the House-passed bill. It is unclear how the major differences over immigration will ultimately be resolved.

It also is noteworthy that there is bipartisan agreement on the bill’s funding levels, including funding for programs through which the County receives funding. The bill’s funding levels were negotiated between the House and Senate last year when Democrats controlled the Senate.

We will continue to keep you advised.

SAH:RA
MR:MT:ma

c: All Department Heads
Legislative Strategist